APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,194	09/09/2003	Masatoshi Kimura	021669	1624

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EXAMINER
TRAN, VINCENT HUY

ART UNIT	PAPER NUMBER
2115	

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _01 September 0903_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _01 September 0903_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _8/06, 8/ 05, 9/9/03_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

1.   This Office Action is responsive to the communication filed on 9/9/03

2.   Claims 1-20 are pending for examination.

3.   The text of those sections of Title 35, U.S. code not included in this action can be found

in a prior Office action.

Priority

4.   Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d).

Information Disclosure Statement

5.   The information disclosure statement (IDS) submitted on 8/31/06, 8/18/05, 9/09/03 were

considered by the examiner.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee U.S. Patent

6,658,576.

8.   As per claim 1, Lee disclosed a gateway card [400 fig. 4] that is connected to an

information processor and that receives and transmits data between different networks, the

gateway card [col. 12 lines 24-34] comprising:

an access accepting unit [450 fig. 4; col. 6 lines 42-48] that accepts an access request

from an apparatus [631 fig. 6] connected to the networks [605 fig. 6]; and

an access control unit [430 fig. 4] that leads the apparatus to make access to an external

apparatus in a state that the operation of the information processor is maintained in a power

saving operation mode [col. 4 line 49 to col. 5 line 19; 55; col. 6 lines 17-35; from col. 13 line 64

to col. 14 lines 11], when the access request is accepted in a state that the operation of the

information processor is in a power saving operation mode and also when the access request

corresponds to the access to the external apparatus [from col. 16 line 58 to col. 17 line 31, col. 19

lines 20-43; col. 14 lines 20-25; Fig. 5 –step S502 to S512; col. 2 lines 59-67].

9.   As per claim 2, Lee discloses, when the access request is accepted in a state that the

operation of the information processor is in a power saving operation mode and also when the

access request corresponds to the access to the information processor, the access control unit

leads the apparatus to make access to the information processor in a state that the operation mode

is returned from the power saving operation mode to the normal operation mode [Fig. 5 step

S502 – S514], and shifts the operation mode from the normal operation mode to the power

saving operation mode after the access ends [Fig. 5 step S519-S522].

10.   As per claim 3, see discussion in claim 2.

11.   As per claim 4, 5 and 6, Lee teaches an apparatus that is connected to an information

processor and that receives and transmits data between different networks. Therefore, Lee

teaches the method to operate the apparatus.

12.   As per claim 7, 8 and 9, Lee teaches the method applied to the apparatus connected to an

information processor and that receives and transmits data between different networks.

Therefore, Lee teaches the steps to perform the method.

13.   As per claim 10, it is noted that the limitation do not substantially differ from claim 1,

with the exception of the limitation reciting "the information processor further includes a power

control unit..." As demonstrated previously, Lee anticipated the limitation in claim 1. The

limitation regarding the information processor further includes a power control unit that shifts

the operation mode from a normal operation mode to power saving operation mode, when a

predetermined shift factor occurred is also anticipated by Lee as show in module 214 of Fig. 3

(Switchable power-supply circuit) and from col. 5 line 66 to col. 6 line 5.

14.   As per claim 11, Lee teaches, when the access request is accepted in a state that the

operation of the information processor is in a power saving operation mode and also when the

access request corresponds to the access to the information processor, the access control unit

issues a return notice to return the operation of the information processor from the power saving

operation mode to the normal operation mode [S414 fig. 5; col. 3 line to col. 4 line 14], then

leads the apparatus to make access to the information processor [S516 fig. 5], and issues a shift

notice to shift the operation mode from the normal operation mode to the power saving operation

mode after the access ends [S522 fig. 5], and the power control unit returns the operation mode

from the power saving operation mode to the normal operation mode based on the return notice,

and shifts the operation mode from the normal operation mode to the power saving operation

mode based on the shift notice [Fig. 5].

15.   As per claim 12, see discussion in claim 11.

16.   As per claim 13, see discussion in claim 10.

17.   As per claim 14, see discussion in claim 11.

18.   As per claim 15, see discussion in claim 12.

19.   As per claim 16, see discussion in claim 10.

20.   As per claim 17, see discussion in claim 11.

21.   As per claim 18, see discussion in claim 12.

22.   Claims 19-20 rejected under 35 U.S.C. 102(b) as being anticipated by Dea et al. U.S.

Patent 5,742,833 ("Dea").

23.   As per claim 19, Dea discloses a gateway card [112 fig. 2] that interconnects an

information processor [12 or 28 fig. 1; col. 5 lines 63-65], and at least one server via a first

network [26 or 18 fig. 1], and at least one client via a second network [31 fig. 1], the first

network and the second network having different communication protocols [col. 9 lines 5-10],

the information processor having a normal power mode and a power save mode [110 fig. 2, col.

6 line 1-7], the gateway card comprising:

an access accepting unit that accepts a request from the client to access the server or the

information processor [col. 6 lines 7-9[1]];

a power mode checking unit that determines whether the information processor is in the

normal power mode or in the power save mode [col. 8 lines 17-19]; and

an access control unit that executes the request form the client wherein if the request from

the client is a request to access the server, the access control unit executes the request even if the

power mode checking unit determines that the information processor is in the power save mode

[The gateway card of system 12 or 28 would exam the request to determine whether the request

is intended to interact with this particular station (col. 8 lines 8-16); and, if not, the information

processor remains in the sleep or power-down state while inherently the access control unit

executes to rout the request to it's intended target[2]].

24.   As per claim 19, Dea discloses a gateway card [112 fig. 2] that interconnects an

information processor [12 or 28 fig. 1; col. 5 lines 63-65], and at least one server via a first

network [26 or 18 fig. 1], and at least one client via a second network [31 fig. 1], the first

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[1] Since Gateway 28 is preferably an individual computer serves to link Lan 32 to Lan 10 where Lan 10 may be coupled via communication link 24 through a subsystem control unit/communication controller 26 and communications link 34 to gateway server 28 OR computer system 12 serves to link server 18 [Mainframe computer col. 5 line 45] to client computer 31 through communication link 22. Therefore, the access accepting unit in the gateway card that interconnects an information processor [28 or 12 fig. 1] servers to accepts a request from the client [31 fig. 1] to access server [26, 18 fig. 1] or the information processor [28 or 12 of fig. 1].
[2] The Server 26, 18 would not able to receive the request if the gateway card of system 28 or 12 was not able to rout the request signal.

network and the second network having different communication protocols [col. 9 lines 5-10],

the information processor having a normal power mode and a power save mode [110 fig. 2, col.

6 line 1-7], the gateway card comprising:

an access accepting unit that accepts a request from the client to access the server or the

information processor [col. 6 lines 7-9[3]];

a power mode checking unit that determines whether the information processor is in the

normal power mode or in the power save mode [col. 8 lines 17-19]; and

an access control unit that executes the request form the client wherein if the request from

the client is a request to access the information processor [162 fig. 4] and, if the power mode

checking unit determined that the information processor is in the power save mode, the access

control unit instructs the information processor to change the power mode to the normal power

mode[170 fig. 4], executes the request, and instructs the information processor to change the

power mode to the power save mode [inherent].

25.   Claims 3, 5, 9, 12, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Gibson

et al. U.S. Patent No. 5,835,719 ("Gibson").

26.   As per claim 3, Gibson discloses a gateway card connected to an information processor

and that receives and transmits data between different networks, the gateway card comprising:

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[3] Since Gateway 28 is preferably an individual computer serves to link Lan 32 to Lan 10 where Lan 10 may be
coupled via communication link 24 through a subsystem control unit/communication controller 26 and
communications link 34 to gateway server 28 OR computer system 12 serves to link server 18 [Mainframe computer
col. 5 line 45] to client computer 31 through communication link 22. Therefore, the access accepting unit in the
gateway card that interconnects an information processor [28 or 12 fig. 1] servers to accepts a request from the client
[31 fig. 1] to access server [26, 18 fig. 1] or the information processor [28 or 12 of fig. 1].

An access accepting unit [12 fig. 1] that accepts an access request from an apparatus

connected to the networks [11 fig. 1], and

An access control unit [12 fig. 1 and fig. 3] that leads the apparatus to make access to the

information processor in a state that the operation mode is returned from the power saving

operation mode to the normal operation mode [col. 4 lines 41-57], when the access request

corresponds to the access to the information processor, and shifts the operation mode from the

normal operation mode to the power saving operation mode after the access ends [col. 5 lines 27-

34].

27.   As per claim 12, Gibson discloses a gateway device with an information processor, and a

gateway section connected to the information processor, and that receives and transmits data

between different networks, the gateway section comprises:

An access control unit [12 fig. 1] that accepts an access request from an apparatus

connected to the networks; and

An access control unit [12 fig. 1 and fig. 4] that issues a return notice to return the

operation of the information processor from the power saving operation mode to the normal

operation mode [col. 4 lines 52-57], and leads the apparatus to make access to the information

processor, when the access request corresponds to the access to the information processor [from

col. 4 line 41 to col. 5 line 21] and issues a shift notice [15 fig. 1] to shift the operation mode

from the normal operation mode to the power saving operation mode after the access ends [col. 5

lines 27-34], and

The information process further include a power control unit [20 fig. 1] that return the

operation mode from the power saving operation mode to the normal mode based on the return

notice, and shifts the operation mode from the normal operation mode the power saving

operation mode base on the shift notice.

Claim Rejections - 35 USC § 103

28.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

29.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

30.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee.

31.   As per claim 19, Lee teaches a gateway card that interconnects an information processor

[601B fig. 6], at least one server via a first network [604, 603, 632 fig. 6; col. 17 lines 45-50],

and at least one client [631 fig. 6] via a second network, the first network and the second network

having different communication protocols, the information processor having a normal power

made and a power saving mode [from col. 5 line 20 to col. 6 line 17], the gateway card [400 fig.

4] comprising:

an access accepting unit that accepts a request from the client to access the server or the

information processor [col. 17 lines 20-30];

an access control unit that executes the request from the client wherein if the request from

the client is a request to access the server, the access control unit executes the request even if the

information processor is in the power save mode [step S501-S511].

Lee does not explicitly teach a power mode checking unit that determines whether the

information processor is in the normal power mode or in the power save mode. Lee teaches the

communication circuit operable for detecting and handling the communication signal regardless

of whether the information is in either mode wherein, if the communication signal is redirected

to the establishment of communication with the information system while the information is in

the sleep mode, the communication circuit is operable to switch on the main-supply system to

supply the switchable power to the main microprocessor. Therefore, it would have been obvious

to one of ordinary skill in the art that the Lee's system would including means to determine

whether the information processor is in the normal power mode or in the power save mode. The

system of Lee would be inoperable if the communication circuit does not know the current

operating mode of the information system.

32.   As per claim 20, it is noted that the limitation do not substantially differ from claim 1,

with the exception of the access control unit now reciting "wherein if the request from the client

is a request to access the information processor..." As demonstrated previously, Lee anticipated

the limitation in claim 1. The limitation regarding the access control unit, Lee teaches, if the

request from the client is a request to access the information processor and the information

processor is in the power save mode, the access control unit instructs the information processor

to change the power mode to the normal power mode, execute the request, and instructs the

information processor to change the power mode to the power save mode [see discussion in

claim 9, 11].

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Vincent T. Tran whose telephone number is (571) 272-7210. The

examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas c. Lee can be reached on (57 1)272-3667. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vincent Tran